

EXHIBIT G

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 06-3105

September Term, 2005

06mj00231

Filed On: July 28, 2006 [983171]

United States of America,
Appellee

v.

Rayburn House Office Building, Room 2113,
Washington, DC 20515,
Appellant

BEFORE: Sentelle, Brown and Griffith, Circuit Judges

ORDER

Upon consideration of the emergency motion for stay pending appeal, the opposition thereto, and the reply, it is

ORDERED that the record be remanded to the District Court for the limited purpose of making findings regarding which, if any, documents (physical or electronic) removed by appellee from Congressman William J. Jefferson's office pursuant to a search warrant executed on May 20, 2006, are records of legislative acts. *See Brown & Williamson Tobacco Corp. v. Williams*, 62 F.3d 408, 420 (D.C. Cir. 1995). The District Court, either through a judicial officer or a special master appointed for the purpose, shall 1) copy all physical documents seized by appellee, and provide such copies to Congressman Jefferson; and 2) using the copies of computer files made by appellee, search for the terms listed in the warrant, and provide a list of responsive records to Congressman Jefferson. It is

FURTHER ORDERED that Congressman Jefferson shall, within two days of receiving the copied documents and list of responsive records, submit to the District Court, *ex parte*, any claims that specific documents or records are legislative in nature. The District Court shall review *in camera* any specific documents or records identified as legislative and make findings regarding whether the specific documents or records are legislative in nature. *Cf. Klitzman, Klitzman and Gallagher v. Krut*, 744 F.2d 955, 962 (3d Cir. 1984). It is

FURTHER ORDERED that appellee be enjoined from reviewing any documents or records seized from Congressman Jefferson's office pending further order of this Court. It is

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FURTHER ORDERED that this case be held in abeyance pending the District Court's action on remand. The Clerk is directed to transmit a copy of this order to the District Court. The District Court is requested to notify this Court promptly upon its determination of the question on remand.

Per Curiam